

D/F

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KONSTANTIN THOMAS HYNES (as trustee of the
CALLING CARD DISTRIBUTION TRUST), individually
and on behalf of G&G PREPAID, LLC d/b/a KING
PREPAID,

Plaintiff,

-against-

FRANCIS GIAMBALVO and ARUNA ARORA BURGO,

Defendants,

and

G&G PREPAID, LLC d/b/a KING PREPAID,

Nominal Defendant.

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09-CV-2599 (ARR) (LB)

NOT FOR
PRINT OR ELECTRONIC
PUBLICATION

ORDER

ROSS, United States District Judge:

The court has received the Report and Recommendation on the instant case dated January 14, 2011 from the Honorable Lois Bloom, United States Magistrate Judge. No objections have been filed. Accordingly, the court has reviewed the Report and Recommendation for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord Edwards v. Town of Huntington, No. 05 Civ. 339 (NGG) (AKT), 2007 U.S. Dist. LEXIS 50074, at *6 (E.D.N.Y. July 11, 2007); McKoy v. Henderson, No. 05 Civ. 1535 (DAB), 2007 U.S. Dist. LEXIS 15673, at *1 (S.D.N.Y. March 5, 2007). Having reviewed the record, I find no clear

error. I hereby adopt the Report and Recommendation, in its entirety, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Therefore, the case is dismissed without prejudice because plaintiff lacks standing to bring this action.

SO ORDERED.

s/ ARR

Allyne R. Ross
United States District Judge

Dated: January 31, 2011
Brooklyn, New York